

for the Republican leader to get serious about keeping the Federal Government open and funded. Are we just talking about something that is nonexistent as a problem? Two years ago the government was shut down for almost a month. I think it was 21 days that the government was shut down. It is very disturbing.

In 1 week, as I have indicated, the Pope will be here, and it is time that we make sure that we follow some of the advice and counsel that he has given us.

#### NOMINATION OF GAYLE SMITH

Mr. REID. Mr. President, the goodwill and humanitarian efforts of the United States are needed all across the world. Victims of civil wars, disease outbreaks, and natural disasters depend on the aid and compassion of the American people. To our credit, we try our best to help as much as possible.

Take one example. The Syrian refugee crisis is the worst humanitarian crisis since World War II. Four million Syrians are now refugees because of the country's civil war, and thousands and thousands are fleeing to any place they can go. Most of them are winding up in Europe to escape the violence.

There are almost another 8 million who are internally displaced within war-ravaged Syria. A lot of them are in cities and can't go anywhere. If they try to leave, they get killed. Tragically, 5½ million of these poor individuals are children. The United States is trying to help. We are the single largest donor of humanitarian aid to the Syrian crisis. There is not a close second.

The U.S. Agency for International Development, known as USAID, is one of the principal organizations by which the United States administers civilian foreign aid. This Agency plays an essential role in administering our Nation's foreign policy. Yet, while all these events continue to unfold before the world's eyes, Senate Republicans are blocking the next Administrator from taking her place.

Gayle Smith was nominated by President Obama 5 months ago. We had hearings weeks and weeks ago—now into months. It was right to nominate her. She is an experienced leader in administering international humanitarian assistance and global development, serving on the National Security Council at the White House.

During her time at the White House, Gayle Smith has worked on major typhoons in Asia, the Ebola outbreak in West Africa, and ongoing conflicts in Syria and Iraq. She has extensive experience in African affairs, both from her time at the National Security Council and from her work as a journalist covering international affairs for more than two decades. During her time as a journalist, she spent time in active war zones and other conflicts.

Gayle Smith's credentials are impeccable, and her hearing in the Foreign Relations Committee in June reflected

that. In September she was voted out unanimously in a voice vote. Yet here we are post-June—that is an understatement. Her nomination was reported favorably, and we still have no confirmed Administrator.

With all the news accounts we watch every day of these thousands and thousands of lost people, the United States is being hampered in its ability to help because we don't have anyone running the Agency. It is just the latest example of Republican obstruction for obstruction's sake.

According to the Congressional Research Service, the current Republican Congress has confirmed far fewer nominees than any Congress in memory. Why?

What are Republicans accomplishing by preventing a qualified nominee such as Gayle Smith from leading the U.S. Agency for International Development? They are doing it, and in so doing they are undermining U.S. foreign policy. They are undoing decades of admirable American humanitarian efforts. But even more unsettling is that Republicans are impeding our ability to assist those around the world who need help.

It is time for the Republican leader and his Senators to change course and stop this blockade of the President's nominations.

I look forward to the Senate Republicans releasing their obstruction on the Gayle Smith nomination and working with Democrats to confirm her as the next Administrator of USAID immediately. All the Republican leader has to do is bring it to the floor. We will vote on it. If someone doesn't want to vote for her, don't vote for her. But it is really wrong to have our great country at a time of this huge humanitarian crisis having no one leading the Agency that does more to alleviate the problems these people face than anyone we have in our government.

Would the chair announce the business of the day.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein, with the majority controlling the first half and the Democrats controlling the final half.

The Senator from South Dakota.

#### MEASURES PLACED ON THE CALENDAR—S. 2035 AND H.R. 36

Mr. THUNE. Mr. President, I understand that there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2035) to provide for the compensation of Federal employees affected by a lapse in appropriations.

A bill (H.R. 36) to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

Mr. THUNE. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceeding, en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. THUNE. Mr. President, back in May, Congress passed and the President signed legislation guaranteeing Congress the chance to take an up-or-down vote on any nuclear deal with Iran. It was widely debated here in the Senate and in the House of Representatives. Votes were held, and in the Senate, 98 Senators on both sides of the aisle agreed that we should pass legislation requiring that Congress have a voice—and through Congress the American people have a voice—in something that is so important to America's national security interests.

Yet here we are 4 months later, and the same Democrats who voted for that at the time and joined Republicans—98 Senators voted for the American people to have their voice heard on this—these same Democrats have now chosen to stifle the voices of the American people by refusing to allow an up-or-down vote on the President's nuclear agreement. Twice now, when we attempted to move to a final vote on the deal, only four Democrats broke ranks with their colleagues and stood up to the President. That is a deeply disappointing result, especially given the stakes on this agreement.

I would have to say that in some ways I suppose if you are trying to protect your President from having to make a decision about whether to sign or veto this legislation—maybe they were pushed into that position by the administration—but the fact is, this is something that was voted on in the Senate, in the House of Representatives, overwhelmingly supported, and sent to the President. The President of the United States reluctantly signed it into law, but the understanding was from that point forward that when this was actually brought to the floor of the Senate, there would be an open debate and there would be a vote. All that I think is simply expected by the American people is an opportunity to be heard from, in the form of an up-or-down vote, through their representatives in the Senate.

I would think that even if Democrats in the Senate object to the vote that we would have on a resolution of disapproval and want to support the President's position, that they would allow it to be voted on and let it go to the President. If the President is so

proud of this deal—and clearly he is—why would he not then want the opportunity to veto a resolution of disapproval coming from Congress on this?

I think, clearly, Democrats in the Senate are doing their best to try and protect the President from having to make that decision, notwithstanding the President's assertions that this is a wonderful deal for our country, a wonderful deal for our allies. Of course, the facts tell an entirely different story. A nuclear-armed Iran is a direct threat to the security of the United States and our allies in the Middle East, and the American people deserved that chance to have their voices heard.

I wish to take just a moment to read some of the statements that have been made by Iran's Supreme Leader over the past few weeks. This is directly from the Twitter feed of the Ayatollah Khamenei. Speaking to Israel, he said: "You will not see the next 25 years." That is the Supreme Leader of Iran speaking to Israel. He adds: "God willing," there will be nothing of the "Zionist regime" in the next 25 years. Again, this is coming directly from the Twitter feed of the Iranian Supreme Leader.

Of the United States, he says something he has said before: "U.S. is the Great Satan." That is exactly as I said coming directly from the Supreme Leader, the Ayatollah Khamenei, in Iran.

So I challenge my colleagues in the Senate to reflect on those statements. Think about them. Not only do they demonstrate Iran's hostility toward the United States and Israel, but they demonstrate another key point when it comes to this agreement; that is, Iran is playing the long game.

President Obama and Secretary Kerry may be thinking in terms of the next few months, may be thinking about their own legacy, but the Iranian regime is thinking in terms of years and decades. While this deal may slow down Iran in the near term, in the long term it legitimizes Iran's nuclear enrichment and drastically shortens its breakout period for a bomb.

Under this agreement, in 10 years, Iran will transition from its current IR-1 centrifuges—which is about, they say, 1960s technology—to the large-scale production of IR-2m centrifuges, which are four or five times faster than what Iran has today. In addition, this deal gives Iran the option of building still more advanced IR-6 and IR-8 centrifuges down the road, which are 15 times faster at enriching uranium. In other words, without once violating this agreement in a decade, Iran will have reduced its breakout period for a bomb from a few months to a few weeks. This agreement also allows Iran to keep its fortified nuclear facilities, and it gives Iran access to conventional weapons and ballistic missiles capable of delivering a warhead far beyond Iran's borders.

Plus, under this agreement, Iran will have full access to international mar-

kets and the materials and technical components it needs to build a bomb, material that right now it can only access through black-market channels. Iran is playing the long game, and in the long term this is a very good deal for Iran.

Let's be clear about Iran's intentions regarding its nuclear program. Iran is not simply interested in pursuing a nuclear enrichment program for its civilian energy needs. Iran is interested in building a bomb. Make no mistake about it, if Iran were only interested in producing electricity, it wouldn't need a nuclear enrichment program.

Look at other countries that use nuclear power to produce electricity. Sweden, for example, currently has 10 functioning nuclear powerplants, but it does not have a domestic nuclear enrichment program. Finland has four nuclear powerplants, but it does not conduct its own nuclear enrichment. Ukraine, which voluntarily gave up its post-Soviet nuclear arsenal in the 1990s, has 15 nuclear powerplants. It does not conduct its own nuclear enrichment. Mexico, Bulgaria, the Czech Republic, Spain, Switzerland, and South Africa—all these countries have nuclear powerplants, but none of these countries conducts its own nuclear enrichment and none of these countries needs to conduct its own enrichment because the fuel can easily be obtained in the world market, where there is actually a surplus of enriched uranium. No one worries that these countries are on the verge of building a bomb because their intentions are clear. They are only interested in the electricity they can obtain from nuclear power, and for this they don't need to enrich their own uranium.

Another striking example can be seen on the Korean Peninsula. South Korea, a thriving democracy, has 23 operating nuclear powerplants. Yet it does not have a commercial enrichment program or even a spent fuel reprocessing facility. North Korea, on the other hand, chose to pursue an undisclosed illicit nuclear enrichment program, and North Korea has produced a nuclear bomb.

Based on Iran's behavior, is Iran trying to be more like South Korea, with its multitude of powerplants and no enrichment capabilities, or North Korea, which fails to provide its population with electricity but still built a nuclear bomb. If Iran wants a peaceful, civilian, nuclear energy program, it does not need to be enriching uranium.

Plain and simple, the only reason Iran needs a nuclear enrichment program is if it is interested in developing a nuclear weapon. If Iran wanted to silence all of its critics, if it wanted to prove that it is operating in good faith, it could halt its nuclear enrichment facility at Fordow and halt its domestic enrichment program altogether.

If President Obama had reached a deal that would accomplish this, the Senate would not have sought a vote upon a resolution of disapproval. In-

stead, Republicans and Democrats alike would have been supporting the agreement praising the success of the negotiations, but that is not what happened. Instead, the President agreed to a deal that validates Iran's enrichment program, allows it to maintain its nuclear facilities, and explicitly permits Iran to continue researching and manufacturing advanced centrifuges. In other words, in a few short years, this deal gives Iran everything it would need for the speedy development of a nuclear weapon.

If Iran genuinely wants a peaceful nuclear energy program, it can put everyone's concerns to rest and dismantle its uranium enrichment structure. Short of that, Iran is telegraphing to the world that it wants a nuclear bomb.

Mr. President, I wish to shift gears for just a moment and address an assertion that Secretary Kerry has made numerous times throughout this debate.

As we all know, one of the major points of contention surrounding this deal is the side agreements between Iran and the International Atomic Energy Agency, or the IAEA, that remain a secret. The nuclear deal grants inspections at Iran's known nuclear sites, but the details of these inspections are being kept secret between the IAEA and Iran. Secretary Kerry has asserted that keeping these side agreements secret is standard practice for the IAEA, but is that really the case? Are private agreements between Iran and host countries the norm?

I wanted to find out. So last week I sat down with the former Deputy Director of the IAEA, Olli Heinonen, and discussed the policies and procedures of the IAEA with him at length. Mr. Heinonen is an expert on this topic, having served with the IAEA for 27 years and personally inspected, I might add, sites in Iran in the past. He was able to tell me that keeping side agreements a secret is not standard for the IAEA. It is an exception that has periodically been used to protect proprietary information for commercial reasons.

Let me repeat that. In contrast to what Secretary Kerry is claiming, refusing to disclose these side agreements is not the IAEA's normal procedure; it is an exception. When commercially sensitive information is not at risk, the IAEA's practice is to make the details of the agreements public.

So then why is the IAEA keeping its side agreements with Iran a secret? So far as we know, no proprietary concerns exist, which leads to the inevitable conclusion that these agreements have been kept a secret because they outline a weak inspections regime that would be unlikely to stand up to scrutiny, and the limited information that has been leaked so far backs up this conclusion. According to leaked documents made available to the Associated Press, the side agreements with the IAEA allow Iran to collect its own

samples, with cameras recording the process. Iran will then deliver these samples to the IAEA to be tested for radioactive material.

If that is true, there is reason to be deeply concerned because a process such as that would give Iran the opportunity to hide its nuclear activities from the IAEA. It is like having the fox guard the hen house.

One of the agreements made by Secretary Kerry when the discussion of the 24-day waiting period for inspections of undisclosed sites came up was that traces of radioactive material could not be hidden in 24 days. That was the Secretary's argument. Samples taken from surfaces, where activities involving radioactive materials have taken place, will still have radioactive traces after the materials themselves are taken away. That has been the argument that has been made by Secretary Kerry. The Secretary is right about that. Traces of radioactive material do remain, but what the Secretary doesn't mention is that those traces can be hidden. If tabletops, floors or walls are painted over with certain materials—not just once but several times—samples taken from their surfaces will not reveal radioactive material, and that makes allowing Iran to take its own samples very dangerous, even if cameras are present.

If inspections are intrusive enough—meaning actual human IAEA inspectors are walking through a facility looking not only for illicit activity but for signs of someone trying to cover up such activity—it is pretty easy to identify newly painted surfaces and to know that something is amiss. That is the difference between actual inspections by the IAEA and having Iran collect samples and having cameras cover it.

If, as reports suggest, the IAEA has agreed to allow monitoring by camera instead of sending inspectors into the facilities, it will be very difficult for the IAEA to pick up on efforts to hide illicit activities, such as repainting surfaces. If the IAEA's secret side deals allow Iran to conduct its own inspections, then it is no wonder Iran wants to keep such deals a secret.

Given the possibility that these secret side deals significantly weaken the inspections regime authorized by this agreement, it is imperative that the contents of these deals be made public. In addition, if these agreements are not made known, the IAEA will be setting a dangerous precedent that could undermine its credibility moving forward. If Iran gets off the hook on inspections and the IAEA allows this, what happens next time there is a rogue regime pursuing an illicit nuclear program? Well, I will tell you what is going to happen. That nation will ask for the same inspections deal Iran got.

If the White House is serious on any level about preventing future nuclear proliferation, it needs to consider very carefully what it is doing right now be-

cause right now the White House is establishing a precedent that if a country is belligerent enough and hostile enough and pursues a nuclear program in violation of international agreements, eventually the international community will validate that country's nuclear program and possibly even allow the country to conduct its own inspections. That is an incredibly dangerous precedent to set.

I understand that Senators have different ideological foundations from which we form our views and that sometimes political pressures come into play when Senators are looking at legislation, but it is very unfortunate that so many of my colleagues on the other side of the aisle chose to ignore the text of this agreement and cast their vote on ideological grounds.

The truth is that this agreement will provide a hostile nation which has an expressed hatred of the United States and Israel with a clear path to a nuclear bomb, and I am deeply disappointed that Senate Democrats could not even allow a vote on a deal of this magnitude—a deal that will shape the situation in the Middle East for years to come.

As we move forward, Republicans will do everything we can to protect our country and our allies from the worst consequences of this agreement, starting with Leader MCCONNELL's amendment to require a show of good faith from Tehran before congressional sanctions are lifted. I hope Democrats will join us. They still have that chance. I really do hope they will. This is that important. It is important to America's national security interests. It is important to our allies in that region of the world.

This agreement is a bad agreement. It needs to be rejected. At a minimum, it needs to at least be voted on by the people's elected representatives of this country—something 98 Senators agreed to do just 4 months ago, and now all of a sudden, because the President evidently doesn't want to have to deal with a decision about whether to veto this resolution of disapproval, Democrats have dug in here in the Senate and are preventing the very thing 98 of us as Senators voted to allow to happen just 4 months ago. That is wrong. The American people deserve better.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to address this issue the Senator from South Dakota has been speaking on as well. I am extremely disappointed and frustrated, as the Senator from South Dakota is and many of us are, that 42 of our Democratic colleagues would choose to block the Senate from even being able to consider and have an up-or-down vote on whether we should proceed with this incredibly important, in my view, extremely dangerous deal with Iran despite the fact, as has been observed, that 98 Senators voted to create this very mechanism—a mechanism

by which we could consider whether Congress wanted to pass a resolution of disapproval to prevent this dangerous deal from going forward. Nevertheless, they subsequently voted not to allow the Senate—and it is mystifying. We know what the outcome would be. We know there is a bipartisan majority in the Senate that opposes the deal, as there is a bipartisan majority in the House that opposes the deal, as there is a bipartisan majority across America that opposes the deal. But somehow we have to I guess pretend that is not the case and avoid a vote that would clearly manifest that bipartisan majority here in the Senate.

If we did have that vote and we passed the resolution of disapproval—it has passed the House—it would go to the President, and he would veto it. He has made that clear. And those of us who disapprove of this deal don't have enough votes to override the President's veto. So in the end the President would still get his way.

But somehow we have to hide from the fact that there is a clear bipartisan majority in both Houses of Congress that reflects the wishes of the American people about this. That is pretty frustrating and pretty surprising and strange, that my Democratic colleagues who say they are all for this deal nevertheless are afraid to acknowledge where the consensus really is.

Well, I want to talk a bit about the specifics of the deal, but mostly I want to talk about the context of entering into a deal with a regime like the Iranian regime. There are a few things we should bear in mind when we are entering into negotiations with any other country, but first and foremost, let's remember that this isn't an agreement with Switzerland; this isn't an agreement with Canada; this is an agreement with the regime in Iran.

The first point I would make about this regime is to remember how hostile they have been to the United States. Thirty-six years ago, radical Islamists in Tehran overran the U.S. Embassy, stormed the compound, and took 52 American hostages and held them for 444 days. And I would argue that our relationship with Iran has not improved a whole lot since then. They are still holding American hostages today. They have killed over 500 American troops in Iraq and Afghanistan. They regularly call for "Death to America." They call us the Great Satan. This is a very hostile regime indeed.

The second point we should keep in mind is the consistent, demonstrated aggressive nature and the regional ambitions of this regime. This is, after all, the world's No. 1 state sponsor of terrorism. They actively support Hezbollah. They actively support the Assad regime as he massacres his own people. And when the government in Yemen was cooperating with the United States—cooperating with us in attacking and killing terrorists who were trying to kill Americans—during

the midst of the negotiations, the Iranian regime decided that was unacceptable, so they essentially overthrew the Government in Yemen and launched a civil war, which rages to this day. Of course, they continue to consistently threaten the very existence of Israel. That has been a consistent message from this regime.

The third point I would make is how fundamentally untrustworthy this regime is. They are currently in violation of over 20 international agreements; yet we think they are going to comply with this one? It escapes me why we think that history isn't going to repeat itself. Even during the negotiations, they were caught trying to buy nuclear parts. That is a violation of their own commitments. They were recently caught again using Hezbollah to supply arms to Assad in violation of agreements to which they committed. The bottom line is very clear: This regime in Iran cannot be trusted.

Maybe the fourth point I want to make is the most important in some ways. It seems to me, in my experience in business and in life, in order to successfully complete a deal of almost any kind, to reach an agreement, it starts with a meeting of the minds. It starts with an agreement about a desired outcome. That is true in business, in multinational organizations, and it is true in negotiations we engage in here in Congress. The starting point is agreeing on a fundamental objective, and when two parties reach that agreement, then you can document it. You can draft the legal documents that then manifest and bring that agreement about. In my view—and I think this is a widely shared view—the Iranian regime has not decided to abandon their pursuit of nuclear weapons, and that makes all the difference in the world.

I will take a contrasting point that I think is worth thinking about—the case of Muammar Qadhafi. We can probably all agree that Muammar Qadhafi was a very bad guy, probably a human being with no redeeming qualities at all. But after the United States went into Iraq and when our government presented him with the evidence we had about the Libyan weapon of mass destruction program, Muammar Qadhafi came to a conclusion. His conclusion was that it was in his interest to abandon his pursuit of weapons of mass destruction because he was afraid of what we would do to him if he didn't. He didn't become a good guy; he made a rational analysis of his situation and decided it was in his best interest. His ability to hold on to power would be enhanced if he gave up those programs, so he did. We reached an agreement, it was documented, and there is every reason to believe that would have succeeded because he had decided it was in his interest to make that agreement.

I don't think the Iranian Government has in any way come to the conclusion that they have to give up the pursuit of

nuclear weapons. They have been at it for decades, and the very conditions they insisted on in this agreement, in my view, make it clear they have every intention of continuing to pursue nuclear weapons.

To summarize these points, when you are dealing with a country that is extremely hostile to the United States and our allies, that is aggressively seeking to dominate that region, that has demonstrated by its actions that it is completely untrustworthy, and that shows no evidence of having actually decided to abandon the pursuit of nuclear weapons, given those aspects, the reality we face, it is very difficult to complete an acceptable negotiation to ensure that country will be nuclear-free. At a minimum, you would need an absolutely bulletproof, airtight agreement in order to be successful.

Instead, what do we have? We have an agreement where we give many tens, maybe over \$100 billion virtually up front, which Iran will certainly use, at least in part, to fund their terrorist activities. The agreement allows them to retain an industrial-scale uranium enrichment program. You don't need any uranium enrichment to have peaceful nuclear energy. There is a very dubious inspection and verification process which allows up to 24 days before inspectors can get to certain sites. The whole deal is temporary. After Iran gets its money, Iran can walk away with the deal with 35 days' notice at any time. There is a little process they have to go through that is 30 days long, and then they can give 35 days' notice and just walk away. That is codified in the agreement. Of course, I think it is extremely dangerous for Israel and diminishes the ability of Israel to defend itself, and I think it is very likely to lead to nuclear proliferation throughout the Middle East.

Those are plenty of reasons, in my view, to oppose this deal, but those are the parts we know about. What is truly amazing, what is absolutely shocking to me is that we don't have all the documents. I don't know how anyone can support a deal when they know they haven't seen some of the important documents that are part of the deal, but we know that is the case.

There are two documents, negotiated apparently between the IAEA—which is responsible for enforcement of essential parts of this agreement—and Iran, that not only has Congress not seen, the administration hasn't even seen. Secretary Kerry has not seen them. Our negotiators haven't seen them. Nobody has.

Mr. President, I ask unanimous consent to have an additional 2 minutes.

The PRESIDING OFFICER. Is there objection?

Ms. KLOBUCHAR. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOOMEY. I thank the Chair.

So it is shocking to me that we would proceed and that people would support an agreement when they know

there are essential parts of enforcement and discovery about the previous military dimensions that are unknown to us.

There is another point I need to make, and I will close with this. We had the minority leader, the Democratic leader, who was here last time we had this vote saying: This is over. You guys need to accept it, deal with it. This deal is going forward, and there is nothing you can do about it. It is done.

I strongly disagree with that. This is not over. We are not finished with this. The reason we are not finished with this is because the President made a conscious decision. His decision was not to treat this as a treaty, not to respect the constitutional requirement to get two-thirds of the Senate to support this, and had he brought us in early on, we might very well have been able to get there. Instead, he decided to circumvent the Constitution, the Congress, the United States Senate, and the will of the American people. So the result is that if the President goes forward with this, which it certainly looks as though he will, this deal will not be binding on the United States past this administration. That is by virtue of the decision the President made. The President could have gone a different way, but he didn't, so the deal can be undone by the next President. And with bipartisan majorities in both Houses of Congress, that is entirely plausible.

There is another consideration, and that is that the President will be doing so in violation of the law. The law—the Corker-Cardin legislation—clearly and unambiguously requires the President to turn over all documents to Congress before the 60-day window even begins, and only after that is he permitted to lift the sanctions. But the President has not given all the documents to Congress. In fact, he hasn't even gotten all the documents himself. This is a clear, explicit violation of the law we all passed.

I know the administration says: But it is customary for the IAEA to enter into these secret negotiations. As the Senator from South Dakota indicated a little while ago, it is not at all clear that it is customary, but more importantly, that doesn't matter. The law of the United States of America is more important than whatever is customary between the IAEA and other parties.

So I think this is a very dangerous deal. I am very disappointed that we don't have a chance to have a clean up-or-down vote on this as we should have. But it is important for companies thinking about doing business with Iran and countries around the world to realize this is a deal between the current administration and Iran and it does not necessarily succeed this administration. No. 2, if the President goes ahead and lifts sanctions, he will be doing it in violation of the law he signed.

This is not over, and we should not be giving up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### REAUTHORIZATION OF THE EXPORT-IMPORT BANK

Ms. KLOBUCHAR. Mr. President, I rise to speak today on another topic, and that is the reauthorization of the Export-Import Bank. Senator CANTWELL is going to be here shortly, and I thank her for her strong leadership. We will also be hearing at some point from Senator McCASKILL and Senator HEITKAMP. This has been a bipartisan effort. I thank the other Senators who have joined in this fight—Senator GRAM and Senator KIRK.

The reason I am here today is to say that America needs to be a country that exports, a country that thinks, that invents, that builds things, and that exports to the world. When 95 percent of the world's customers live outside of our borders, there is literally a world of opportunity out there for U.S. businesses. We simply can't afford to pass this up.

We know there are about 85 credit export agencies in over 60 other countries. So all of these other countries, over 60 countries—major developed nations—have an Ex-Im type bank. Our businesses in the United States are competing against companies in those countries, so when they are bidding against each other for a contract, the companies in the other countries can say: Well, I may not be a huge business, I am a small business, but I know I can get financing from my country's bank—whether they are in Germany or whether they are in China.

Do you know what our companies have to say right now? Well, the Ex-Im Bank's charter has lapsed. We can't get financing.

And if you don't think their competitors know this—their competitors know it. We have already heard that they have lost contracts because of this shortsightedness of letting the Ex-Im Bank lapse. So they are competing against these foreign businesses that are backed by other countries' credit export programs, and they often also receive government subsidies. So why, I ask, would we want to make it harder for our own companies to compete across the globe and create jobs right here at home?

In 2014, the Ex-Im Bank provided support for \$27 billion worth of U.S. exports. That sounds like a lot, but in the same year—are you ready for this?—China financed more than double that amount, \$58 billion. So their Ex-Im type bank financed \$58 billion, ours only did \$27 billion, and now we are not doing anything. South Korea and Germany have already provided more support for their exports than we have in the United States of America.

So if we don't get this done and reauthorize the Ex-Im Bank, countries like China are going to eat our lunch. That is why I am urging my colleagues to in-

clude the reauthorization of the Ex-Im Bank in the spending bills we must pass to keep the government open and running. If we want to level the playing field for our businesses, we need to have the U.S. Ex-Im Bank open and running too. This is about jobs.

In June I led a meeting of the Steering and Outreach Committee on the importance of the Ex-Im Bank. Several of my colleagues were at that meeting, too, and I will tell you what we heard. We heard from small business owners from all over the country. They did not mince words. Frankly, they were furious and frustrated after watching some Members of Congress throw up roadblock after roadblock and refuse to do the commonsense thing—reauthorize the Ex-Im Bank. These small business owners, like the many small business owners I have met in my State, told me the Ex-Im Bank is essential for their ability to export. Many of these smaller businesses don't have an expert on every country in the world. They rely on the Ex-Im Bank to help them with that expertise, to get the financing. And what do they get now? This is what they get. This is what is on the Web site right now of the Ex-Im Bank:

Due to a lapse in EXIM Bank's authority, as of July 1, 2015, the Bank is unable to process applications or engage in new business or other activities. For more information, please click here.

Then you click here, and it says:

To Customers and Stakeholders of the Export-Import Bank of the United States:—

This is the United States of America. It says—

Due to a lapse in our authority, as of midnight on June 30th the Export-Import Bank of the United States ceased processing new applications or engaging in new business.

Last week, Congress adjourned for their August recess without reauthorizing EXIM. Both the Senate and the House of Representatives return to Washington on September 8th. This means that EXIM will focus on the management of our \$107 billion portfolio . . .

But they cannot do anything new.

Guess who else is reading that. Our foreign competitors, companies and countries all over the world. They are able to show the people for whom they are bidding: Look what happens when you go to the Ex-Im type financing site in the United States. Guess what it says. It says: Sorry, we are lapsed; we can't do anything.

That is what these companies from other countries are seeing.

We heard from Boyle Energy Services in New Hampshire, Air Tractor in Texas, the Orbital Sciences Corporation in Virginia, and FirmGreen in California. Most were headed up by Republican CEOs. They all said the same thing—that Ex-Im Bank has been critical in building their businesses and supporting their ability to export all over the world. Many of them told us they would lose business, not be able to enter into contracts, and may even have to lay off workers if they lose the support of the Ex-Im Bank. And now it is not just the possibility of having to lay off workers; that is actually hap-

pening in our country due to this problem with the Ex-Im Bank.

At the end of June when the Ex-Im Bank expired, there were nearly 200 transactions totaling over \$9 billion in financing pending. Letting the Ex-Im Bank's charter lapse meant lost contracts and layoffs. It means European and Chinese workers will be doing the jobs Americans are now doing.

My colleagues, I don't think we can wait any longer. I will put in the RECORD the evidence from my own State and what it has meant in my own State.

Every year I visit all 87 counties in Minnesota and I meet with all kinds of small business owners. One thing that I find over and over is that these small businesses are exporting and many are using the Ex-Im Bank to provide them with the expertise they need to enter new markets all over the world and the vital loans, loan guarantees or credit insurance they need to access these markets.

The list of Minnesota companies that have told me of their strong support for the Ex-Im Bank is long. Let me share a few examples.

I have met with the people at Balzer—an agricultural equipment manufacturer based in Mountain Lake—a town of 2,000. They told me that they have grown their exports to about 15 percent of total sales with the help of the Ex-Im Bank. They export from Canada to Kazakhstan—from Japan to Australia—and now South Africa too.

With the help of the Ex-Im Bank, Superior Industries in Morris has been able to export to Canada, Australia, Russia, Argentina, Chile, Uruguay, and Brazil.

I have heard from the Trade Acceptance Group in Edina which provides credit insurance to businesses that export. They rely on the Ex-Im Bank. I heard from Fastenal and Miller Ingenuity, both from Winona. They told me how the Ex-Im Bank helped them reach new markets in Mexico, Indonesia, and Africa. And the list goes on.

The Ex-Im Bank was helping these small businesses from all over Minnesota and all over the country compete and export globally. These are success stories and we need more of them. There are success stories like this in every State. And these are the stories we want to hear—not stories about losing jobs and business opportunities to Europe and China.

I have given speeches on this before. We cannot wait any longer. We need to reauthorize the Ex-Im Bank now.

I will end with this, as I see Senator CANTWELL, our great leader on this, is in the Chamber. The Ex-Im Bank has been reauthorized 16 times in its 81-year history, every time with broad bipartisan majorities, and Ex-Im has the support this year. The Senate has voted twice with bipartisan support to reauthorize the Ex-Im Bank, and over 250 House Members have cosponsored bills supporting the Ex-Im Bank.